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BY ECF & EMAIL

November 19, 2018

Honorable Colleen McMahon  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: *United States v. Sire Gaye*, 18 Cr. 153 (CM)**

Hon. Judge McMahon:

I write this letter to notify the Court that my client, Sire Gaye, has been released from New York City Department of Corrections ("NYC DOC") custody. Apparently, following the imposition of the 90 day sentence on Mr. Gaye's Queens Criminal matter, NYC DOC determined that Mr. Gaye had accrued jail credit from his prior incarceration. Based upon this, Mr. Gaye has already been released.

I have spoken with Mr. Gaye and confirmed that I would be submitting this letter to the Court. Mr. Gaye has an appointment with pretrial services today to have an ankle monitor reattached.

Based upon my representations to the Court that Mr. Gaye would be incarcerated for approximately 60 days on his Queens sentence, the Court set a surrender date for Mr. Gaye to report to a federal facility by 2pm on January 21, 2018. The Court set this date based upon what has turned out to be my erroneous representation. Should the Court be willing to allow Mr. Gaye's surrender date to remain the same, he would remain under monitoring by Pretrial Services and would have the opportunity to spend the holiday season with his family. Should the Court decide to set a new surrender date, I humbly request that said date be set to allow my client to spend as much of the holiday season at home with his family as possible.

Thank you for your consideration of this request.

Respectfully submitted,  
/s/  
Ken Womble

Cc: AUSA Mollie Bracewell (via email)

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